

09/985,898  
SON-0519US

### **REMARKS**

An excess claim fee payment letter is submitted herewith for three (3) excess independent claims and one (1) excess dependent claim.

Claims 1-2, 4-5, and 7-23 are all the claims presently pending in the application. Claims 3 and 6 are canceled without prejudice or disclaimer, thereby to render moot the prior art rejection. Applicant is pleased to note that claims 1-2, 4-5, 7-8, 10-11, 13, and 14 are allowed, and that claims 9, 12 and 15 would be allowable if rewritten in independent form. Claim 9 is has been rewritten accordingly. This Amendment adds claims 16-23. Attached hereto is a marked-up version of the changes made to the claims by the current Amendment.

It is noted that the claim amendments are made to merely clarify the language of each claim, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

### **III. INFORMAL MATTERS AND CONCLUSION**

Applicant respectfully requests that the priority document submitted and filed on November 6, 2001 be acknowledged.

In view of the foregoing, Applicant submits that claims 1-2, 4-5, and 7-23, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance.


The Examiner is respectfully requested to pass the above application to issue at the

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earliest possible time. Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview. The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 2/28/03

  
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**Please cancel claims 3 and 6 without prejudice or disclaimer.**

**Please amend the claims to read as follows:**

9. (Amended) [An apparatus according to claim 6,] A surface acoustic wave filter,  
comprising:

a plurality of pairs of comb electrode patterns formed on an upper surface of a chip  
substrate made of a piezoelectric material, wherein opposing portions of two comb electrode  
patterns that form a pair are not sharp, and

wherein the [package is] filter is accommodated in a plastic package.